

6107
Form 395

SMITHVILLE SPECTRUM LLC
1600 W. Temperance Street
Ellettsville, IN 47429

Accepted / Filed

MAY 30 2017

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RECEIPT

Re: Smithville Spectrum LLC
Report of Employment Complaints

Dear Ms. Dortch:

Smithville Spectrum, LLC ("Smithville") hereby notifies the Federal Communications Commission that it has never had any employees or any employment complaints filed against it. Nonetheless and out of an abundance of caution, Smithville is formally notifying the Commission that there have been no employment complaints against ECW for the reporting periods covering calendar years 2010, 2011 and 2013.¹

Inasmuch as Smithville has had no employees and Instruction A (Who Must File) to the Form 395 indicates that "[t]he FCC Form 395, Common Carrier Annual Employment Report, is to be filed by all licensees and permittees of common carrier stations with sixteen (16) or more full time employees . . .", Smithville did not realize that while it was not required to file the Form 395, it was nonetheless required to file an annual report of employment complaints using either the FCC Form 395 or a standard letter to the FCC. Upon discovering this requirement, in connection with a separate matter, Smithville directed counsel to prepare the required letter in order to report that no employment complaints had been received in each of the calendar years that no report had previously been filed. Inasmuch as Smithville had no employees and no such employment complaints were filed against the Company, Smithville requests, to the extent deemed necessary, a waiver of Section 22.321 of the Commission's Rules to permit the filing and acceptance of the instant report.

Wherefore, for good cause shown, it is respectfully submitted that a grant of the instant request would be in the public interest.

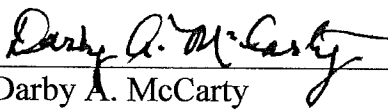
¹ Smithville Spectrum, LLC filed the Form 395 in 2007, 2008, 2009, 2010, 2014, 2015 and 2016 even though it was not required to do so since it had no employees. In these cases, the Form 395 indicated that there were no employment complaints.

Please direct any questions or correspondence regarding this filing to our counsel,
as follows:

Richard D. Rubino
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP
2120 L Street, N.W., Suite 300
Washington, DC 20037

Respectfully submitted,

Smithville Spectrum LLC

By: 
Darby A. McCarty
Officer of Managing Member

Dated: May 15, 2017

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Marlene H. Dortch, Secretary
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Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Smithville Spectrum, LLC
Report of Employment Complaints**

Dear Ms. Dortch:

On behalf of Smithville Spectrum, LLC, we are submitting herewith its report of employment complaints for the reporting periods covering calendar years 2010, 2011 and 2013.

In accordance with Section 1.12 of the Commission's Rules, please direct any questions or correspondence regarding this filing to our office.

Sincerely,



Richard D. Rubino
Counsel for Smithville Spectrum, LLC

Attachment